



U.S. Department
of Transportation

**Federal Railroad
Administration**

FRA-2002-12836-9

400 Seventh St., S.W.
Washington, D.C. 20590

JUN 19 2003

Mr. Mac A. Fleming
President
Brotherhood of Maintenance of Way Employes
26555 Evergreen Road, Suite 200
Southfield, Michigan 48076-4225

Dear Mr. Fleming:

This will acknowledge receipt of your letter dated March 11, 2003. In that letter, you spoke of several issues on the North American Joint Positive Train Control (NAJPTC) which were identified during a peer review conducted in Charlottesville, Virginia, February 5-6, 2003, and raised by the Brotherhood of Maintenance of Way Employes (BMWE) representative at the subsequent Positive Train Control (PTC) working group meeting held in Philadelphia, Pennsylvania, on March 3-6, 2003.

The Federal Railroad Administration (FRA) is in agreement with the BMWE that the issue of joint track and time authorities within PTC territories does transcend the IDOT project and will need to be addressed in any PTC territory where issuance of joint track and time authority is recognized within the operating rules of the railroad.

As your letter states, the FRA would expect and is pleased to hear, that the University of Virginia assured the BMWE that the ASCAP model would be revised to include the randomization of on-track maintenance vehicles and seasonal data.

Due to potential safety implications, the FRA appreciates your bringing these issues to our attention. Both your letter and the FRA's acknowledgment of that letter will be placed in the docket NAJPTC project, Docket Number, FRA-2002-12836.

The FRA looks forward to continue working with the BMWE and other industry partners to address these and other matters of railroad safety.

Sincerely,

Grady C. Cothen, Jr.
Deputy Associate Administrator
for Safety Standards
and Program Development

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OFFICE OF CHIEF COUNSEL

FEDERAL RAILROAD
ADMINISTRATION

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OFFICE OF CHIEF COUNSEL